

EXHIBIT 6

CIRCUIT COURT
Received & Filed
4:25 pm
MAY 20 2014
By Roberta Taylor
Deputy Clerk
CITY OF ROANOKE

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

SANDRA F. ARTIS,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

Case No. CL13-1105

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

1. In the late summer and early fall of 2012, the Centers for Disease Control identified an outbreak of fungal meningitis. The outbreak was allegedly traced back to lots of methylprednisolone acetate compounded by New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC").
2. In the wake of the outbreak, dozens of lawsuits were filed against NECC, its owners, several companies affiliated with NECC or its owners, and other companies and health care providers.
3. On December 21, 2012, NECC filed a voluntary petition seeking relief under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy

Court for the District of Massachusetts (“the Bankruptcy Proceeding”), automatically staying all actions against NECC.

4. On February 12, 2013, the Judicial Panel on Multidistrict Litigation created MDL 2419, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts.

5. The MDL Transfer Order centralized all cases “relating to injuries arising from the alleged contamination of injectable steroid . . . at the New England Compounding Pharmacy facility in Framingham, Massachusetts” in the District of Massachusetts for coordinated and consolidated proceedings pursuant to 28 U.S.C. § 1407.

6. Thereafter, on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee, moved for an order of the District Court for the District of Massachusetts to transfer all related personal injury and wrongful death actions to the District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 157 and 1334.

7. Initially, the District Court for the District of Massachusetts declined to exercise jurisdiction over cases filed in state court unless a plaintiff asserted a claim, or any defendant asserted a claim for contribution or indemnity, against NECC or any affiliated entity or individual, *see In re New England Compounding Pharm., Inc., Prods. Liab. Litig.*, 496 B.R. 256, 269 (D. Mass. 2013).

8. On December 27, 2013, the Chapter 11 Trustee renewed his request for a transfer of additional personal injury tort and wrongful death cases pending in state court in which Insight was a defendant and had asserted claims for indemnity and contribution against NECC.

9. On May 15, 2014, Judge Zobel of the District Court for the District of Massachusetts found that related-to jurisdiction exists under the United States Bankruptcy Code,

and on that basis allowed the Chapter 11 Trustee's motion. She transferred this case and all other state court cases in which Insight is a defendant to MDL 2419, the multi-district proceeding for the NECC litigation, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts. *See* Exhibit A.

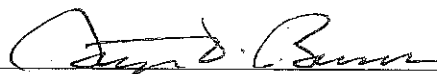
10. In addition to exercising its related-to jurisdiction, the District Court for the District of Massachusetts concluded that mandatory abstention did not apply, and the Court refrained from applying permissive abstention. *Id.* Judge Zobel denied a renewed motion for abstention filed by the law firm of Gentry, Locke, Rakes & Moore, LLP.

11. In this case, Plaintiff has asserted claims against Insight for which Insight, in turn, has asserted a claim for contribution and indemnity against NECC through its Proof of Claim. In addition, Plaintiff also has filed a Proof of Claim against NECC in the Bankruptcy Proceeding, which was a further basis upon which Judge Zobel found the existence of related-to jurisdiction.

12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

BY COUNSEL



Stephen D. Busch, Esq. (VSB No. 19580)
Robert F. Redmond, Esq. (VSB No. 32292)
Diane Flannery, Esq. (VSB No. 85286)
Christopher E. Tribble, Esq. (VSB No. 48847)
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Attorneys for Defendant Insight Health Corp.

CERTIFICATE OF SERVICE

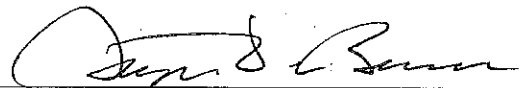
I hereby certify that a copy of the foregoing Notice was served on the following via First Class U.S. Mail and via electronic mail on this 19th day of May, 2014:

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Counsel for Plaintiff

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john.jessee@leclairryan.com

Counsel for Defendants,
Image Guided Pain Management, P.C.,
Robert F. O'Brien, M.D.

A handwritten signature in black ink, appearing to read "Robert F. O'Brien", is written over a horizontal line.

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

ROBERT DANA BENDER, EXECUTOR OF THE
ESTATE OF RALPH JAMES IRACE, JR.,
DECEASED,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

Case No. CL13-577

CIRCUIT COURT
Received & Filed
4:25 pm
MAY 20, 2014
By *Connie P. Liposky*
Deputy Clerk
CITY OF ROANOKE

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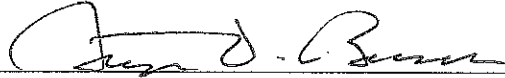
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INSIGHT HEALTH CORP.

BY COUNSEL



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Attorneys for Defendant Insight Health Corp.

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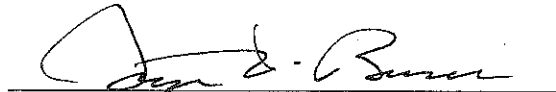
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Counsel for Plaintiff

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john.jessee@leclairryan.com

Counsel for Defendants,
Image Guided Pain Management, P.C.,
Robert F. O'Brien, M.D.

A handwritten signature in black ink, appearing to read "Robert F. O'Brien", is written over a horizontal line.

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

DANA MARLENE BRADLEY,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

CIRCUIT COURT

Received & Filed

4:25 PM

MAY 20 2014

By *Conne P. Lynskey*
Deputy Clerk
CITY OF ROANOKE

Case No. CL12-2576

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

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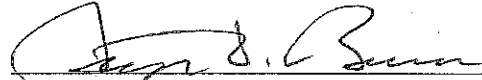
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BY COUNSEL



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Attorneys for Defendant Insight Health Corp.

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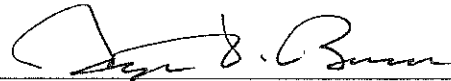
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Counsel for Plaintiff

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john.jessee@leclairryan.com

Counsel for Defendants,
Image Guided Pain Management, P.C.,
John M. Mathis, M.D.



VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

PATRICIA S. BROWN, JOHN D. SPICER, AND
JENAE S. PATSELL, EXECUTORS OF THE
ESTATE OF LOUISE B. SPICER, DECEASED,

Plaintiffs,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

CIRCUIT COURT
Received & Filed
4:25 PM

MAY 20 2014
By *Connie P. Lynley*
Deputy Clerk
CITY OF ROANOKE

Case No. CL13-607

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OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

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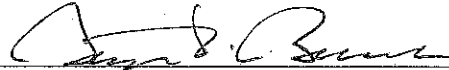
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Attorneys for Defendant Insight Health Corp.

CERTIFICATE OF SERVICE

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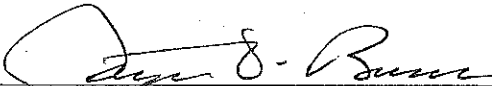
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Counsel for Plaintiff

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Counsel for Defendants,
Image Guided Pain Management, P.C.,
John M. Mathis, M.D.,
Robert F. O'Brien, M.D.



VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

RONNIE A. BROWN,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

Case No. CL13-358

CIRCUIT COURT
Received & Filed
4:25pm
MAY 20 2014
By *Carrie Lynskey*
Deputy Clerk
CITY OF ROANOKE

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6. Thereafter, on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee, moved for an order of the District Court for the District of Massachusetts to transfer all related personal injury and wrongful death actions to the District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 157 and 1334.

7. Initially, the District Court for the District of Massachusetts declined to exercise jurisdiction over cases filed in state court unless a plaintiff asserted a claim, or any defendant asserted a claim for contribution or indemnity, against NECC or any affiliated entity or individual, *see In re New England Compounding Pharm., Inc., Prods. Liab. Litig.*, 496 B.R. 256, 269 (D. Mass. 2013).

8. On December 27, 2013, the Chapter 11 Trustee renewed his request for a transfer of additional personal injury tort and wrongful death cases pending in state court in which Insight was a defendant and had asserted claims for indemnity and contribution against NECC.

9. On May 15, 2014, Judge Zobel of the District Court for the District of Massachusetts found that related-to jurisdiction exists under the United States Bankruptcy Code,

and on that basis allowed the Chapter 11 Trustee's motion. She transferred this case and all other state court cases in which Insight is a defendant to MDL 2419, the multi-district proceeding for the NECC litigation, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts. See Exhibit A.

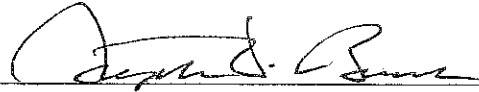
10. In addition to exercising its related-to jurisdiction, the District Court for the District of Massachusetts concluded that mandatory abstention did not apply, and the Court refrained from applying permissive abstention. *Id.* Judge Zobel denied a renewed motion for abstention filed by the law firm of Gentry, Locke, Rakes & Moore, LLP.

11. In this case, Plaintiff has asserted claims against Insight for which Insight, in turn, has asserted a claim for contribution and indemnity against NECC through its Proof of Claim. In addition, Plaintiff also has filed a Proof of Claim against NECC in the Bankruptcy Proceeding, which was a further basis upon which Judge Zobel found the existence of related-to jurisdiction.

12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

BY COUNSEL



Stephen D. Busch, Esq. (VSB No. 19580)
Robert F. Redmond, Esq. (VSB No. 32292)
Diane Flannery, Esq. (VSB No. 85286)
Christopher E. Tribble, Esq. (VSB No. 48847)
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Attorneys for Defendant Insight Health Corp.

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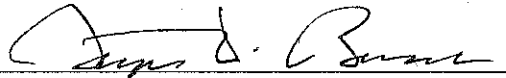
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J. Scott Sexton, Esq.
Gentry Locke Rakes & Moore, LLP
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Counsel for Plaintiff

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Fax: (540) 510-3050
john.jessee@leclairryan.com

Counsel for Defendants,
Image Guided Pain Management, P.C.,
Robert F. O'Brien, M.D.

A handwritten signature in black ink, appearing to read "Robert F. O'Brien", is written over a horizontal line.

CIRCUIT COURT

Received & Filed

4:25 PM

MAY 20 2014

By *Connie P. Laporte*
Deputy Clerk
CITY OF ROANOKE

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

RONALD T. COURTNEY,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

Case No. CL13-0417

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

1. In the late summer and early fall of 2012, the Centers for Disease Control identified an outbreak of fungal meningitis. The outbreak was allegedly traced back to lots of methylprednisolone acetate compounded by New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC").
2. In the wake of the outbreak, dozens of lawsuits were filed against NECC, its owners, several companies affiliated with NECC or its owners, and other companies and health care providers.
3. On December 21, 2012, NECC filed a voluntary petition seeking relief under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy

Court for the District of Massachusetts (“the Bankruptcy Proceeding”), automatically staying all actions against NECC.

4. On February 12, 2013, the Judicial Panel on Multidistrict Litigation created MDL 2419, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts.

5. The MDL Transfer Order centralized all cases “relating to injuries arising from the alleged contamination of injectable steroid . . . at the New England Compounding Pharmacy facility in Framingham, Massachusetts” in the District of Massachusetts for coordinated and consolidated proceedings pursuant to 28 U.S.C. § 1407.

6. Thereafter, on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee, moved for an order of the District Court for the District of Massachusetts to transfer all related personal injury and wrongful death actions to the District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 157 and 1334.

7. Initially, the District Court for the District of Massachusetts declined to exercise jurisdiction over cases filed in state court unless a plaintiff asserted a claim, or any defendant asserted a claim for contribution or indemnity, against NECC or any affiliated entity or individual, *see In re New England Compounding Pharm., Inc., Prods. Liab. Litig.*, 496 B.R. 256, 269 (D. Mass. 2013).

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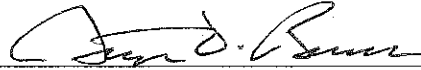
10. In addition to exercising its related-to jurisdiction, the District Court for the District of Massachusetts concluded that mandatory abstention did not apply, and the Court refrained from applying permissive abstention. *Id.* Judge Zobel denied a renewed motion for abstention filed by the law firm of Gentry, Locke, Rakes & Moore, LLP.

11. In this case, Plaintiff has asserted claims against Insight for which Insight, in turn, has asserted a claim for contribution and indemnity against NECC through its Proof of Claim. In addition, Plaintiff also has filed a Proof of Claim against NECC in the Bankruptcy Proceeding, which was a further basis upon which Judge Zobel found the existence of related-to jurisdiction.

12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

BY COUNSEL



Stephen D. Busch, Esq. (VSB No. 19580)
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Attorneys for Defendant Insight Health Corp.

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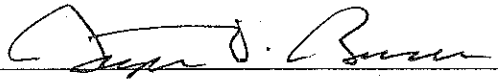
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Counsel for Defendants,
Image Guided Pain Management, P.C.,
John M. Mathis, M.D.

A handwritten signature in black ink, appearing to read "John M. Mathis", is written over a horizontal line.

CIRCUIT COURT
Received & Filed
4:25 PM
MAY 20 2014
By Debra L. Taylor
Deputy Clerk
CITY OF ROANOKE

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

TRUDY R. EPPERLY,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

Case No. CL12-2571

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

1. In the late summer and early fall of 2012, the Centers for Disease Control identified an outbreak of fungal meningitis. The outbreak was allegedly traced back to lots of methylprednisolone acetate compounded by New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC").
2. In the wake of the outbreak, dozens of lawsuits were filed against NECC, its owners, several companies affiliated with NECC or its owners, and other companies and health care providers.
3. On December 21, 2012, NECC filed a voluntary petition seeking relief under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy

Court for the District of Massachusetts (“the Bankruptcy Proceeding”), automatically staying all actions against NECC.

4. On February 12, 2013, the Judicial Panel on Multidistrict Litigation created MDL 2419, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts.

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6. Thereafter, on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee, moved for an order of the District Court for the District of Massachusetts to transfer all related personal injury and wrongful death actions to the District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 157 and 1334.

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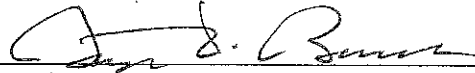
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12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

BY COUNSEL



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Attorneys for Defendant Insight Health Corp.

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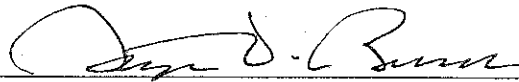
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Counsel for Plaintiff

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Counsel for Defendants,
Image Guided Pain Management, P.C.,
Robert F. O'Brien, M.D.

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CIRCUIT COURT
Received & Filed
4:25 PM
MAY 20 2014
By *Connie P. Lynskey*
Deputy Clerk
CITY OF ROANOKE

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

BARBARA J. FILSON

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

Case No. CL12-2575

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

1. In the late summer and early fall of 2012, the Centers for Disease Control identified an outbreak of fungal meningitis. The outbreak was allegedly traced back to lots of methylprednisolone acetate compounded by New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC").
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Court for the District of Massachusetts (“the Bankruptcy Proceeding”), automatically staying all actions against NECC.

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INSIGHT HEALTH CORP.

BY COUNSEL



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Attorneys for Defendant Insight Health Corp.

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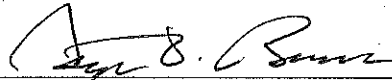
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Counsel for Defendants,
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Robert F. O'Brien, M.D.



CIRCUIT COURT
Received & Filed
4:25 PM
MAY 20 2014
By Debra J. Taylor
Deputy Clerk
CITY OF ROANOKE

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

ZACHARY LUCAS FOUTZ, A MINOR, BY HIS)
PARENTS AND NEXT FRIENDS, BENJAMIN T.)
FOUTZ AND ANDREA L. FOUTZ,)

Plaintiffs,

v.)

INSIGHT HEALTH CORP., *et al.*)

Defendants.)

Case No. CL13-09

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

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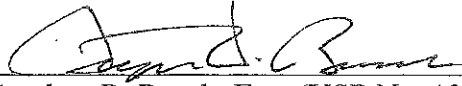
10. In addition to exercising its related-to jurisdiction, the District Court for the District of Massachusetts concluded that mandatory abstention did not apply, and the Court refrained from applying permissive abstention. *Id.* Judge Zobel denied a renewed motion for abstention filed by the law firm of Gentry, Locke, Rakes & Moore, LLP.

11. In this case, Plaintiff has asserted claims against Insight for which Insight, in turn, has asserted a claim for contribution and indemnity against NECC through its Proof of Claim. In addition, Plaintiff also has filed a Proof of Claim against NECC in the Bankruptcy Proceeding, which was a further basis upon which Judge Zobel found the existence of related-to jurisdiction.

12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

BY COUNSEL



Stephen D. Busch, Esq. (VSB No. 19580)
Robert F. Redmond, Esq. (VSB No. 32292)
Diane Flannery, Esq. (VSB No. 85286)
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Attorneys for Defendant Insight Health Corp.

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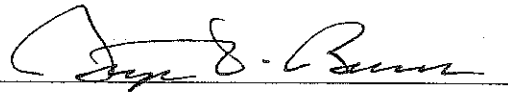
I hereby certify that a copy of the foregoing Notice was served on the following via First Class U.S. Mail and via electronic mail on this 19th day of May, 2014:

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john.jessee@leclairryan.com

Counsel for Defendants,
Image Guided Pain Management, P.C.,
John M. Mathis, M.D.

A handwritten signature in black ink, appearing to read "John M. Mathis", is written over a horizontal line.

CIRCUIT COURT
Received & Filed
4:25 PM
MAY 20 2014
By Rebecca L. Hughes
Deputy Clerk
CITY OF ROANOKE

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

ROBERT EARL HARRIS, JR.,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

Case No. CL13-55

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

1. In the late summer and early fall of 2012, the Centers for Disease Control identified an outbreak of fungal meningitis. The outbreak was allegedly traced back to lots of methylprednisolone acetate compounded by New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC").

2. In the wake of the outbreak, dozens of lawsuits were filed against NECC, its owners, several companies affiliated with NECC or its owners, and other companies and health care providers.

3. On December 21, 2012, NECC filed a voluntary petition seeking relief under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy

Court for the District of Massachusetts (“the Bankruptcy Proceeding”), automatically staying all actions against NECC.

4. On February 12, 2013, the Judicial Panel on Multidistrict Litigation created MDL 2419, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts.

5. The MDL Transfer Order centralized all cases “relating to injuries arising from the alleged contamination of injectable steroid . . . at the New England Compounding Pharmacy facility in Framingham, Massachusetts” in the District of Massachusetts for coordinated and consolidated proceedings pursuant to 28 U.S.C. § 1407.

6. Thereafter, on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee, moved for an order of the District Court for the District of Massachusetts to transfer all related personal injury and wrongful death actions to the District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 157 and 1334.

7. Initially, the District Court for the District of Massachusetts declined to exercise jurisdiction over cases filed in state court unless a plaintiff asserted a claim, or any defendant asserted a claim for contribution or indemnity, against NECC or any affiliated entity or individual, *see In re New England Compounding Pharm., Inc., Prods. Liab. Litig.*, 496 B.R. 256, 269 (D. Mass. 2013).

8. On December 27, 2013, the Chapter 11 Trustee renewed his request for a transfer of additional personal injury tort and wrongful death cases pending in state court in which Insight was a defendant and had asserted claims for indemnity and contribution against NECC.

9. On May 15, 2014, Judge Zobel of the District Court for the District of Massachusetts found that related-to jurisdiction exists under the United States Bankruptcy Code,

and on that basis allowed the Chapter 11 Trustee's motion. She transferred this case and all other state court cases in which Insight is a defendant to MDL 2419, the multi-district proceeding for the NECC litigation, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts. *See* Exhibit A.

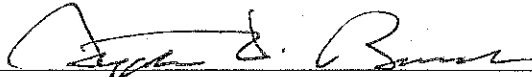
10. In addition to exercising its related-to jurisdiction, the District Court for the District of Massachusetts concluded that mandatory abstention did not apply, and the Court refrained from applying permissive abstention. *Id.* Judge Zobel denied a renewed motion for abstention filed by the law firm of Gentry, Locke, Rakes & Moore, LLP.

11. In this case, Plaintiff has asserted claims against Insight for which Insight, in turn, has asserted a claim for contribution and indemnity against NECC through its Proof of Claim. In addition, Plaintiff also has filed a Proof of Claim against NECC in the Bankruptcy Proceeding, which was a further basis upon which Judge Zobel found the existence of related-to jurisdiction.

12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

BY COUNSEL



Stephen D. Busch, Esq. (VSB No. 19580)
Robert F. Redmond, Esq. (VSB No. 32292)
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Attorneys for Defendant Insight Health Corp.

CERTIFICATE OF SERVICE

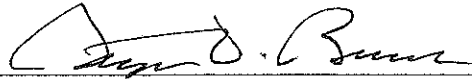
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john.jessee@leclairryan.com

Counsel for Defendants,
Image Guided Pain Management, P.C.,
Robert F. O'Brien, M.D.

A handwritten signature in black ink, appearing to read "Robert F. O'Brien", is written over a horizontal line.

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

JULIAN D. HOLBROOK,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

CIRCUIT COURT
Received & Filed
4:25 PM
MAY 20 2014
By Rubina F. Taylor
Deputy Clerk
CITY OF ROANOKE

Case No. CL13-370

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

1. In the late summer and early fall of 2012, the Centers for Disease Control identified an outbreak of fungal meningitis. The outbreak was allegedly traced back to lots of methylprednisolone acetate compounded by New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC").
2. In the wake of the outbreak, dozens of lawsuits were filed against NECC, its owners, several companies affiliated with NECC or its owners, and other companies and health care providers.
3. On December 21, 2012, NECC filed a voluntary petition seeking relief under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy

Court for the District of Massachusetts (“the Bankruptcy Proceeding”), automatically staying all actions against NECC.

4. On February 12, 2013, the Judicial Panel on Multidistrict Litigation created MDL 2419, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts.

5. The MDL Transfer Order centralized all cases “relating to injuries arising from the alleged contamination of injectable steroid . . . at the New England Compounding Pharmacy facility in Framingham, Massachusetts” in the District of Massachusetts for coordinated and consolidated proceedings pursuant to 28 U.S.C. § 1407.

6. Thereafter, on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee, moved for an order of the District Court for the District of Massachusetts to transfer all related personal injury and wrongful death actions to the District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 157 and 1334.

7. Initially, the District Court for the District of Massachusetts declined to exercise jurisdiction over cases filed in state court unless a plaintiff asserted a claim, or any defendant asserted a claim for contribution or indemnity, against NECC or any affiliated entity or individual, *see In re New England Compounding Pharm., Inc., Prods. Liab. Litig.*, 496 B.R. 256, 269 (D. Mass. 2013).

8. On December 27, 2013, the Chapter 11 Trustee renewed his request for a transfer of additional personal injury tort and wrongful death cases pending in state court in which Insight was a defendant and had asserted claims for indemnity and contribution against NECC.

9. On May 15, 2014, Judge Zobel of the District Court for the District of Massachusetts found that related-to jurisdiction exists under the United States Bankruptcy Code,

and on that basis allowed the Chapter 11 Trustee's motion. She transferred this case and all other state court cases in which Insight is a defendant to MDL 2419, the multi-district proceeding for the NECC litigation, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts. *See* Exhibit A.

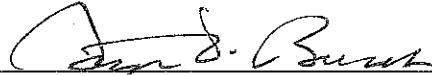
10. In addition to exercising its related-to jurisdiction, the District Court for the District of Massachusetts concluded that mandatory abstention did not apply, and the Court refrained from applying permissive abstention. *Id.* Judge Zobel denied a renewed motion for abstention filed by the law firm of Gentry, Locke, Rakes & Moore, LLP.

11. In this case, Plaintiff has asserted claims against Insight for which Insight, in turn, has asserted a claim for contribution and indemnity against NECC through its Proof of Claim. In addition, Plaintiff also has filed a Proof of Claim against NECC in the Bankruptcy Proceeding, which was a further basis upon which Judge Zobel found the existence of related-to jurisdiction.

12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

BY COUNSEL



Stephen D. Busch, Esq. (VSB No. 19580)
Robert F. Redmond, Esq. (VSB No. 32292)
Diane Flannery, Esq. (VSB No. 85286)
Christopher E. Tribble, Esq. (VSB No. 48847)
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Attorneys for Defendant Insight Health Corp.

CERTIFICATE OF SERVICE

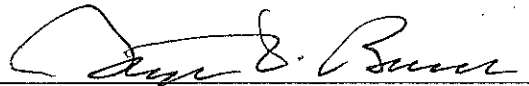
I hereby certify that a copy of the foregoing Notice was served on the following via First Class U.S. Mail and via electronic mail on this 19th day of May, 2014:

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Counsel for Defendants,
Image Guided Pain Management, P.C.,
Robert F. O'Brien, M.D.

A handwritten signature in black ink, appearing to read "Robert F. O'Brien", is written over a horizontal line.

CIRCUIT COURT
Received & Filed
4:25 PM
MAY 20 2014
By [Signature]
Deputy Clerk
CITY OF ROANOKE

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

CHESTER T. KALINOSKI,

Plaintiff,

-v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

Case No. CL12-2574

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

1. In the late summer and early fall of 2012, the Centers for Disease Control identified an outbreak of fungal meningitis. The outbreak was allegedly traced back to lots of methylprednisolone acetate compounded by New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC").

2. In the wake of the outbreak, dozens of lawsuits were filed against NECC, its owners, several companies affiliated with NECC or its owners, and other companies and health care providers.

3. On December 21, 2012, NECC filed a voluntary petition seeking relief under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy

Court for the District of Massachusetts (“the Bankruptcy Proceeding”), automatically staying all actions against NECC.

4. On February 12, 2013, the Judicial Panel on Multidistrict Litigation created MDL 2419, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts.

5. The MDL Transfer Order centralized all cases “relating to injuries arising from the alleged contamination of injectable steroid . . . at the New England Compounding Pharmacy facility in Framingham, Massachusetts” in the District of Massachusetts for coordinated and consolidated proceedings pursuant to 28 U.S.C. § 1407.

6. Thereafter, on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee, moved for an order of the District Court for the District of Massachusetts to transfer all related personal injury and wrongful death actions to the District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 157 and 1334.

7. Initially, the District Court for the District of Massachusetts declined to exercise jurisdiction over cases filed in state court unless a plaintiff asserted a claim, or any defendant asserted a claim for contribution or indemnity, against NECC or any affiliated entity or individual, *see In re New England Compounding Pharm., Inc., Prods. Liab. Litig.*, 496 B.R. 256, 269 (D. Mass. 2013).

8. On December 27, 2013, the Chapter 11 Trustee renewed his request for a transfer of additional personal injury tort and wrongful death cases pending in state court in which Insight was a defendant and had asserted claims for indemnity and contribution against NECC.

9. On May 15, 2014, Judge Zobel of the District Court for the District of Massachusetts found that related-to jurisdiction exists under the United States Bankruptcy Code,

and on that basis allowed the Chapter 11 Trustee's motion. She transferred this case and all other state court cases in which Insight is a defendant to MDL 2419, the multi-district proceeding for the NECC litigation, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts. See Exhibit A.

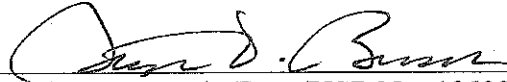
10. In addition to exercising its related-to jurisdiction, the District Court for the District of Massachusetts concluded that mandatory abstention did not apply, and the Court refrained from applying permissive abstention. *Id.* Judge Zobel denied a renewed motion for abstention filed by the law firm of Gentry, Locke, Rakes & Moore, LLP.

11. In this case, Plaintiff has asserted claims against Insight for which Insight, in turn, has asserted a claim for contribution and indemnity against NECC through its Proof of Claim. In addition, Plaintiff also has filed a Proof of Claim against NECC in the Bankruptcy Proceeding, which was a further basis upon which Judge Zobel found the existence of related-to jurisdiction.

12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

BY COUNSEL



Stephen D. Busch, Esq. (VSB No. 19580)
Robert F. Redmond, Esq. (VSB No. 32292)
Diane Flannery, Esq. (VSB No. 85286)
Christopher E. Tribble, Esq. (VSB No. 48847)
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Attorneys for Defendant Insight Health Corp.

CERTIFICATE OF SERVICE

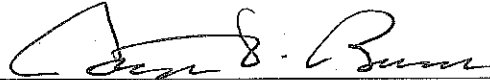
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Counsel for Plaintiff

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Counsel for Defendants,
Image Guided Pain Management, P.C.,
John M. Mathis, M.D.

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CIRCUIT COURT
Received & Filed
4:25 PM
MAY 20 2014
By Rosanna J. Taylor
Deputy Clerk
CITY OF ROANOKE

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

PAULINE R. MCFARLANE,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

Case No. CL12-2573

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

1. In the late summer and early fall of 2012, the Centers for Disease Control identified an outbreak of fungal meningitis. The outbreak was allegedly traced back to lots of methylprednisolone acetate compounded by New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC").
2. In the wake of the outbreak, dozens of lawsuits were filed against NECC, its owners, several companies affiliated with NECC or its owners, and other companies and health care providers.
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6. Thereafter, on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee, moved for an order of the District Court for the District of Massachusetts to transfer all related personal injury and wrongful death actions to the District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 157 and 1334.

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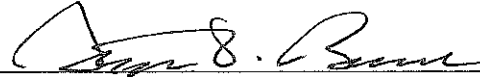
10. In addition to exercising its related-to jurisdiction, the District Court for the District of Massachusetts concluded that mandatory abstention did not apply, and the Court refrained from applying permissive abstention. *Id.* Judge Zobel denied a renewed motion for abstention filed by the law firm of Gentry, Locke, Rakes & Moore, LLP.

11. In this case, Plaintiff has asserted claims against Insight for which Insight, in turn, has asserted a claim for contribution and indemnity against NECC through its Proof of Claim. In addition, Plaintiff also has filed a Proof of Claim against NECC in the Bankruptcy Proceeding, which was a further basis upon which Judge Zobel found the existence of related-to jurisdiction.

12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

BY COUNSEL



Stephen D. Busch, Esq. (VSB No. 19580)

Robert F. Redmond, Esq. (VSB No. 32292)

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Attorneys for Defendant Insight Health Corp.

CERTIFICATE OF SERVICE

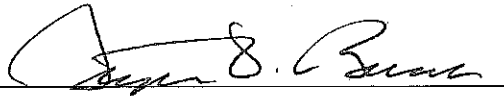
I hereby certify that a copy of the foregoing Notice was served on the following via First Class U.S. Mail and via electronic mail on this 19th day of May, 2014:

J. Scott Sexton, Esq.
Gentry Locke Rakes & Moore, LLP
10 Franklin Road, S.E., Suite 800
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sexton@gentrylocke.com

Counsel for Plaintiff

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Fax: (540) 510-3050
john.jessee@leclairryan.com

Counsel for Defendants,
Image Guided Pain Management, P.C.,
Robert F. O'Brien, M.D.

A handwritten signature in black ink, appearing to read "Robert F. O'Brien", is written over a horizontal line.

CIRCUIT COURT

Received & Filed

4:25pm
MAY 20 2014

Deputy Clerk
CITY OF ROANOKE

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

ODESSA M. SHUCK,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

Case No. CL13-584

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

1. In the late summer and early fall of 2012, the Centers for Disease Control identified an outbreak of fungal meningitis. The outbreak was allegedly traced back to lots of methylprednisolone acetate compounded by New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC").

2. In the wake of the outbreak, dozens of lawsuits were filed against NECC, its owners, several companies affiliated with NECC or its owners, and other companies and health care providers.

3. On December 21, 2012, NECC filed a voluntary petition seeking relief under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy

Court for the District of Massachusetts (“the Bankruptcy Proceeding”), automatically staying all actions against NECC.

4. On February 12, 2013, the Judicial Panel on Multidistrict Litigation created MDL 2419, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts.

5. The MDL Transfer Order centralized all cases “relating to injuries arising from the alleged contamination of injectable steroid . . . at the New England Compounding Pharmacy facility in Framingham, Massachusetts” in the District of Massachusetts for coordinated and consolidated proceedings pursuant to 28 U.S.C. § 1407.

6. Thereafter, on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee, moved for an order of the District Court for the District of Massachusetts to transfer all related personal injury and wrongful death actions to the District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 157 and 1334.

7. Initially, the District Court for the District of Massachusetts declined to exercise jurisdiction over cases filed in state court unless a plaintiff asserted a claim, or any defendant asserted a claim for contribution or indemnity, against NECC or any affiliated entity or individual, *see In re New England Compounding Pharm., Inc., Prods. Liab. Litig.*, 496 B.R. 256, 269 (D. Mass. 2013).

8. On December 27, 2013, the Chapter 11 Trustee renewed his request for a transfer of additional personal injury tort and wrongful death cases pending in state court in which Insight was a defendant and had asserted claims for indemnity and contribution against NECC.

9. On May 15, 2014, Judge Zobel of the District Court for the District of Massachusetts found that related-to jurisdiction exists under the United States Bankruptcy Code,

and on that basis allowed the Chapter 11 Trustee's motion. She transferred this case and all other state court cases in which Insight is a defendant to MDL 2419, the multi-district proceeding for the NECC litigation, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts. See Exhibit A.

10. In addition to exercising its related-to jurisdiction, the District Court for the District of Massachusetts concluded that mandatory abstention did not apply, and the Court refrained from applying permissive abstention. *Id.* Judge Zobel denied a renewed motion for abstention filed by the law firm of Gentry, Locke, Rakes & Moore, LLP.

11. In this case, Plaintiff has asserted claims against Insight for which Insight, in turn, has asserted a claim for contribution and indemnity against NECC through its Proof of Claim. In addition, Plaintiff also has filed a Proof of Claim against NECC in the Bankruptcy Proceeding, which was a further basis upon which Judge Zobel found the existence of related-to jurisdiction.

12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

BY COUNSEL



Stephen D. Busch, Esq. (VSB No. 19580)
Robert F. Redmond, Esq. (VSB No. 32292)
Diane Flannery, Esq. (VSB No. 85286)
Christopher E. Tribble, Esq. (VSB No. 48847)
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Attorneys for Defendant Insight Health Corp.

CERTIFICATE OF SERVICE

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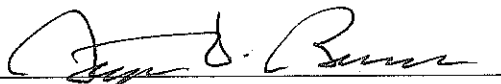
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Counsel for Plaintiff

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Fax: (540) 510-3050
john.jessee@leclairryan.com

Counsel for Defendants,
Image Guided Pain Management, P.C.,
John M. Mathis, M.D.,
Robert F. O'Brien, M.D.



VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

JAMES WIRT SMITH, JR.,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

CIRCUIT COURT

Received & Filed

4:25pm
MAY 20 2014

By *[Signature]*
Deputy Clerk
CITY OF ROANOKE

Case No. CL12-2572

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

1. In the late summer and early fall of 2012, the Centers for Disease Control identified an outbreak of fungal meningitis. The outbreak was allegedly traced back to lots of methylprednisolone acetate compounded by New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC").

2. In the wake of the outbreak, dozens of lawsuits were filed against NECC, its owners, several companies affiliated with NECC or its owners, and other companies and health care providers.

3. On December 21, 2012, NECC filed a voluntary petition seeking relief under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy

Court for the District of Massachusetts (“the Bankruptcy Proceeding”), automatically staying all actions against NECC.

4. On February 12, 2013, the Judicial Panel on Multidistrict Litigation created MDL 2419, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts.

5. The MDL Transfer Order centralized all cases “relating to injuries arising from the alleged contamination of injectable steroid . . . at the New England Compounding Pharmacy facility in Framingham, Massachusetts” in the District of Massachusetts for coordinated and consolidated proceedings pursuant to 28 U.S.C. § 1407.

6. Thereafter, on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee, moved for an order of the District Court for the District of Massachusetts to transfer all related personal injury and wrongful death actions to the District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 157 and 1334.

7. Initially, the District Court for the District of Massachusetts declined to exercise jurisdiction over cases filed in state court unless a plaintiff asserted a claim, or any defendant asserted a claim for contribution or indemnity, against NECC or any affiliated entity or individual, *see In re New England Compounding Pharm., Inc., Prods. Liab. Litig.*, 496 B.R. 256, 269 (D. Mass. 2013).

8. On December 27, 2013, the Chapter 11 Trustee renewed his request for a transfer of additional personal injury tort and wrongful death cases pending in state court in which Insight was a defendant and had asserted claims for indemnity and contribution against NECC.

9. On May 15, 2014, Judge Zobel of the District Court for the District of Massachusetts found that related-to jurisdiction exists under the United States Bankruptcy Code,

and on that basis allowed the Chapter 11 Trustee's motion. She transferred this case and all other state court cases in which Insight is a defendant to MDL 2419, the multi-district proceeding for the NECC litigation, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts. See Exhibit A.

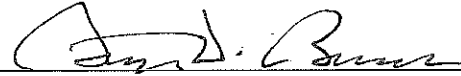
10. In addition to exercising its related-to jurisdiction, the District Court for the District of Massachusetts concluded that mandatory abstention did not apply, and the Court refrained from applying permissive abstention. *Id.* Judge Zobel denied a renewed motion for abstention filed by the law firm of Gentry, Locke, Rakes & Moore, LLP.

11. In this case, Plaintiff has asserted claims against Insight for which Insight, in turn, has asserted a claim for contribution and indemnity against NECC through its Proof of Claim. In addition, Plaintiff also has filed a Proof of Claim against NECC in the Bankruptcy Proceeding, which was a further basis upon which Judge Zobel found the existence of related-to jurisdiction.

12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

BY COUNSEL



Stephen D. Busch, Esq. (VSB No. 19580)
Robert F. Redmond, Esq. (VSB No. 32292)
Diane Flannery, Esq. (VSB No. 85286)
Christopher E. Tribble, Esq. (VSB No. 48847)
Clement D. Carter, Esq. (VSB No. 46038)
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James F. Neale, Esq. (VSB No. 43060)
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Attorneys for Defendant Insight Health Corp.

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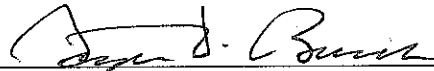
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Counsel for Plaintiff

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Counsel for Defendants,
Image Guided Pain Management, P.C.,
Robert F. O'Brien, M.D.

A handwritten signature in dark ink, appearing to read "Robert F. O'Brien", is written over a horizontal line.

57225551_1

CIRCUIT COURT

Received & Filed

4:25pm

MAY 20 2014

By *[Signature]*
Deputy Clerk
CITY OF ROANOKE

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

RANDOLPH E. SMITH,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

Case No. CL13-57

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

1. In the late summer and early fall of 2012, the Centers for Disease Control identified an outbreak of fungal meningitis. The outbreak was allegedly traced back to lots of methylprednisolone acetate compounded by New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC").

2. In the wake of the outbreak, dozens of lawsuits were filed against NECC, its owners, several companies affiliated with NECC or its owners, and other companies and health care providers.

3. On December 21, 2012, NECC filed a voluntary petition seeking relief under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy

Court for the District of Massachusetts (“the Bankruptcy Proceeding”), automatically staying all actions against NECC.

4. On February 12, 2013, the Judicial Panel on Multidistrict Litigation created MDL 2419, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts.

5. The MDL Transfer Order centralized all cases “relating to injuries arising from the alleged contamination of injectable steroid . . . at the New England Compounding Pharmacy facility in Framingham, Massachusetts” in the District of Massachusetts for coordinated and consolidated proceedings pursuant to 28 U.S.C. § 1407.

6. Thereafter, on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee, moved for an order of the District Court for the District of Massachusetts to transfer all related personal injury and wrongful death actions to the District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 157 and 1334.

7. Initially, the District Court for the District of Massachusetts declined to exercise jurisdiction over cases filed in state court unless a plaintiff asserted a claim, or any defendant asserted a claim for contribution or indemnity, against NECC or any affiliated entity or individual, *see In re New England Compounding Pharm., Inc., Prods. Liab. Litig.*, 496 B.R. 256, 269 (D. Mass. 2013).

8. On December 27, 2013, the Chapter 11 Trustee renewed his request for a transfer of additional personal injury tort and wrongful death cases pending in state court in which Insight was a defendant and had asserted claims for indemnity and contribution against NECC.

9. On May 15, 2014, Judge Zobel of the District Court for the District of Massachusetts found that related-to jurisdiction exists under the United States Bankruptcy Code,

and on that basis allowed the Chapter 11 Trustee's motion. She transferred this case and all other state court cases in which Insight is a defendant to MDL 2419, the multi-district proceeding for the NECC litigation, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts. *See* Exhibit A.

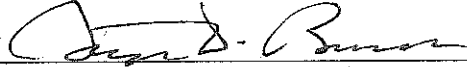
10. In addition to exercising its related-to jurisdiction, the District Court for the District of Massachusetts concluded that mandatory abstention did not apply, and the Court refrained from applying permissive abstention. *Id.* Judge Zobel denied a renewed motion for abstention filed by the law firm of Gentry, Locke, Rakes & Moore, LLP.

11. In this case, Plaintiff has asserted claims against Insight for which Insight, in turn, has asserted a claim for contribution and indemnity against NECC through its Proof of Claim. In addition, Plaintiff also has filed a Proof of Claim against NECC in the Bankruptcy Proceeding, which was a further basis upon which Judge Zobel found the existence of related-to jurisdiction.

12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

BY COUNSEL



Stephen D. Busch, Esq. (VSB No. 19580)
Robert F. Redmond, Esq. (VSB No. 32292)
Diane Flannery, Esq. (VSB No. 85286)
Christopher E. Tribble, Esq. (VSB No. 48847)
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Attorneys for Defendant Insight Health Corp.

CERTIFICATE OF SERVICE

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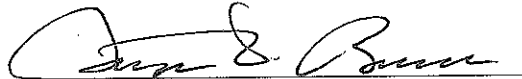
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Counsel for Plaintiff

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Counsel for Defendants,
Image Guided Pain Management, P.C.,
Robert F. O'Brien, M.D.

A handwritten signature in black ink, appearing to read "John T. Jessee", is written over a horizontal line.

CIRCUIT COURT
Received & Filed
4:25pm
MAY 20 2014
By *[Signature]*
Deputy Clerk
CITY OF ROANOKE

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

ROSE M. WHITE,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

Case No. CL13-606

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

1. In the late summer and early fall of 2012, the Centers for Disease Control identified an outbreak of fungal meningitis. The outbreak was allegedly traced back to lots of methylprednisolone acetate compounded by New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC").
2. In the wake of the outbreak, dozens of lawsuits were filed against NECC, its owners, several companies affiliated with NECC or its owners, and other companies and health care providers.
3. On December 21, 2012, NECC filed a voluntary petition seeking relief under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy

Court for the District of Massachusetts (“the Bankruptcy Proceeding”), automatically staying all actions against NECC.

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6. Thereafter, on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee, moved for an order of the District Court for the District of Massachusetts to transfer all related personal injury and wrongful death actions to the District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 157 and 1334.

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and on that basis allowed the Chapter 11 Trustee's motion. She transferred this case and all other state court cases in which Insight is a defendant to MDL 2419, the multi-district proceeding for the NECC litigation, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts. See Exhibit A.

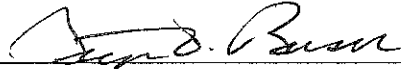
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11. In this case, Plaintiff has asserted claims against Insight for which Insight, in turn, has asserted a claim for contribution and indemnity against NECC through its Proof of Claim. In addition, Plaintiff also has filed a Proof of Claim against NECC in the Bankruptcy Proceeding, which was a further basis upon which Judge Zobel found the existence of related-to jurisdiction.

12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

BY COUNSEL



Stephen D. Busch, Esq. (VSB No. 19580)
Robert F. Redmond, Esq. (VSB No. 32292)
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Attorneys for Defendant Insight Health Corp.

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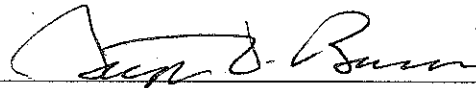
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Counsel for Defendants,
Image Guided Pain Management, P.C.,
Robert F. O'Brien, M.D.

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CIRCUIT COURT

Received & Filed

4:25am
MAY 20 2014

By 
Deputy Clerk
CITY OF ROANOKE

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

RICHARD A. WHITLOW,

Plaintiff,

v.

INSIGHT HEALTH CORP., *et al.*

Defendants.

Case No. CL13-54

**NOTICE OF ASSERTION
OF BANKRUPTCY JURISDICTION AND TRANSFER TO MDL 2419**

Defendant Insight Health Corp. ("Insight") hereby informs the Court of the transfer of the above-entitled action from this Court pursuant to the May 15, 2014 Memorandum of Decision in *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, Civil Action No. 1:13-md-02419-RWZ (D. Mass. May 15, 2014) (the "Order"), a copy of which is attached hereto as Exhibit A. In conformance with the Order, Insight states as follows:

1. In the late summer and early fall of 2012, the Centers for Disease Control identified an outbreak of fungal meningitis. The outbreak was allegedly traced back to lots of methylprednisolone acetate compounded by New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC").

2. In the wake of the outbreak, dozens of lawsuits were filed against NECC, its owners, several companies affiliated with NECC or its owners, and other companies and health care providers.

3. On December 21, 2012, NECC filed a voluntary petition seeking relief under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy

Court for the District of Massachusetts (“the Bankruptcy Proceeding”), automatically staying all actions against NECC.

4. On February 12, 2013, the Judicial Panel on Multidistrict Litigation created MDL 2419, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts.

5. The MDL Transfer Order centralized all cases “relating to injuries arising from the alleged contamination of injectable steroid . . . at the New England Compounding Pharmacy facility in Framingham, Massachusetts” in the District of Massachusetts for coordinated and consolidated proceedings pursuant to 28 U.S.C. § 1407.

6. Thereafter, on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee, moved for an order of the District Court for the District of Massachusetts to transfer all related personal injury and wrongful death actions to the District Court for the District of Massachusetts pursuant to 28 U.S.C. §§ 157 and 1334.

7. Initially, the District Court for the District of Massachusetts declined to exercise jurisdiction over cases filed in state court unless a plaintiff asserted a claim, or any defendant asserted a claim for contribution or indemnity, against NECC or any affiliated entity or individual, *see In re New England Compounding Pharm., Inc., Prods. Liab. Litig.*, 496 B.R. 256, 269 (D. Mass. 2013).

8. On December 27, 2013, the Chapter 11 Trustee renewed his request for a transfer of additional personal injury tort and wrongful death cases pending in state court in which Insight was a defendant and had asserted claims for indemnity and contribution against NECC.

9. On May 15, 2014, Judge Zobel of the District Court for the District of Massachusetts found that related-to jurisdiction exists under the United States Bankruptcy Code,

and on that basis allowed the Chapter 11 Trustee's motion. She transferred this case and all other state court cases in which Insight is a defendant to MDL 2419, the multi-district proceeding for the NECC litigation, *In re: New England Compounding Pharmacy, Inc., Products Liability Litigation* in the United States District Court for the District of Massachusetts. *See* Exhibit A.

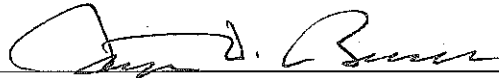
10. In addition to exercising its related-to jurisdiction, the District Court for the District of Massachusetts concluded that mandatory abstention did not apply, and the Court refrained from applying permissive abstention. *Id.* Judge Zobel denied a renewed motion for abstention filed by the law firm of Gentry, Locke, Rakes & Moore, LLP.

11. In this case, Plaintiff has asserted claims against Insight for which Insight, in turn, has asserted a claim for contribution and indemnity against NECC through its Proof of Claim. In addition, Plaintiff also has filed a Proof of Claim against NECC in the Bankruptcy Proceeding, which was a further basis upon which Judge Zobel found the existence of related-to jurisdiction.

12. Accordingly, this is a case which has been transferred to the District Court for the District of Massachusetts.

INSIGHT HEALTH CORP.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice was served on the following via First Class U.S. Mail and via electronic mail on this 19th day of May, 2014:

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